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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,053	08/06/2003	Frank Martinez	6542/53775	1344

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EXAMINER

ONI, OLUBUSOLA

ART UNIT	PAPER NUMBER
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2168

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/635,053	Applicant(s) MARTINEZ ET AL.	
	Examiner OLUBUSOLA ONI	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-38 is/are pending in the application.
- 4a) Of the above claim(s) 1-32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1. This action is responsive to communication: Application, filed on: 08/06/2003
2. Claims 1-32 have been withdrawn for consideration.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 33-38 rejected under 35 U.S.C. 102(e) as being anticipated by Biliris et al. (Patent No U.S 6,442,546) hereinafter "Biliris".

For claim 33, Biliris teaches "an interface operative to communicate with client nodes and at least one other distributed data repository node over a computer network (Col. 2, lines 41-46 & fig. 1), and a mapping module (item 102A in fig. 1) comprising a content map (Col. 5, lines 46-50, fig. 8) and at least one index map corresponding to an attribute (Col. 6, lines 45-47); wherein the mapping module is operative to receive a request to insert a record from a first client node (Col. 2, lines 51-58)

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generate a unique identifiers in response to the record insertion request(Col. 5, lines 63-65, Col. 8, lines 49-50)

transmit the unique identifier to the client node(Col. 2, lines 51-53, Col. 3, lines 13-15)
receive an insertion message including at least one record attribute value(Col. 4, lines 9-11, Col. 5, lines 43-45)

store the at least one record attribute value associated with the insertion message in a corresponding index map in association with the unique identifier; receive record chunks from the client node(Col. 4, lines 9-11, Col. 5, lines 49-50, Col. 6, lines 45-47, items 534A & 536A, in fig. 8 &10)

store the record chunks in the content map in association with the unique identifier(Col. 3, lines 63-65)

receive a query from a second client node, wherein the record satisfies the query
provide the record chunks associated with the unique identifier corresponding to the record”(Col. 4, lines 9-11, Col. 5, lines 43-45)

provide addition record chunks to the second client node as they are received from the first client node(Col. 2, lines 51-53)

For claim 34 Biliris teaches “wherein the mapping engine is further operative to synchronize the record attribute values in the at least one index map with the at least one other distributed data repository nodes”(Col. 3, lines 13-15)

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For claim 35, Biliris teaches "wherein the mapping engine is further operative to transmit the record chunks to at least one other data repository node for replication" (Col. 5, lines 63-65)

For claim 36, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 33 and is similarly rejected.

For claim 37, Biliris teaches "wherein each distributed data repository node is further operative to transmit the record chunks to at least one other data repository node for replication" (Col. 5, lines 63-65)

For claim 38, Biliris teaches "wherein each distributed data repository node is further operative to request and receive from at least one other distributed data repository node record chunks that match a query received from a client node" (Col. 4, lines 9-11, Col. 5, lines 43-45)


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Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUBUSOLA ONI whose telephone number is 571-272-2738. The examiner can normally be reached on 7.30-5.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


KHANH B. PHAM
PRIMARY EXAMINER

OLUBUSOLA ONI
Examiner
Art Unit 2168